

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MONROE MERRITT,)	
)	2:07cv1681
Plaintiff,)	Electronic Filing
)	
v.)	Judge Cercone
)	Magistrate Judge Caiazza
ALAN B. FOGEL, et al.,)	In re: Docs. 33, 36, 39, 44,
)	57 and 66
Defendants.)	

MEMORANDUM ORDER

Monroe Merritt's ("Merritt" or "the Plaintiff") civil rights complaint pursuant to 42 U.S.C. §1983 was filed on December 10, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report, filed on July 10, 2008, recommended that the Defendants' Motions to Dismiss (Docs. 33 and 36) be granted, that the Plaintiff's Motions to Amend the Complaint (Docs. 39, 44 and 57) be denied, and that the Plaintiff's Motion to Expedite Review (Doc. 66) be denied as moot. The parties were allowed ten days from the date of service to file objections. The Plaintiff filed objections on July 22, 2008 (Doc. 68) and a declaration in support thereof (Doc. 69).

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections filed thereto, the following ORDER is entered:

AND NOW, this 1st day of August, 2008,

IT IS HEREBY ORDERED that the Defendants' Motions to Dismiss (Docs. 33 and 36) are GRANTED. The Plaintiff's Motions to Amend the Complaint (Docs. 39, 44 and 57) are DENIED. The Plaintiff's Motion to Expedite Review (Doc. 66) is DENIED AS MOOT. The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 67) and dated July 10, 2008, is adopted as the opinion of the court.



David Stewart Cercone
United States District Judge

cc: Honorable Francis X. Caiazza
United States Magistrate Judge

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